

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff,

-against-

BERNARD L. MADOFF INVESTMENT
SECURITIES, LLC,

Defendant.
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District Court Case No.
Civ. 08-10791

Adv. Pro. No. 08-01789 (JMP)

**NOTICE OF APPEARANCE AND
DEMAND FOR SERVICE OF
DOCUMENTS**

PLEASE TAKE NOTICE that the undersigned appears in the above-captioned case on behalf of Irwin Kellner ("Kellner"), a creditor and party-in-interest, pursuant to Rules 2002 and 9010(b) of the Federal Rules of Bankruptcy Procedure and section 1109(b) of the Bankruptcy Code, and demands that all notices given or required to be given and all papers served in this case be delivered to and served upon the party identified below at the following address:

RUSKIN MOSCOU FALTISCHEK, P.C.
1425 RexCorp Plaza
East Tower, 15th Floor
Uniondale, New York 11556
Attn: Mark S. Mulholland
Telephone: 516-663-6600
Email: mmulholland@rmfpc.com

PLEASE TAKE FURTHER NOTICE that pursuant to section 1109(b) of the Bankruptcy Code, the foregoing demand includes not only the notices and papers referred to in the above-mentioned Bankruptcy Rules, but also includes, without limitation, all orders, applications, motions, petitions, pleadings, requests, complaints or demands,

whether formal or informal, written or oral, transmitted or conveyed by mail delivery, telephone, facsimile or otherwise, in this case.

This Notice of Appearance and any subsequent appearance, pleading, claim, or suit is not intended nor shall be deemed to waive Kellner's: (i) right to have final orders in non-core matters entered only after *de novo* review by a district court judge; (ii) right to trial by jury in any proceedings so triable herein or in any case, controversy or proceeding related hereto; (iii) right to have the reference withdrawn by the United States District Court in any matter subject to mandatory or discretionary withdrawal; and (iv) other rights, claims, actions, defenses, setoffs or recoupments to which Kellner is or may be entitled under agreements, in law, or in equity, all of which rights, claims, actions, defenses, setoffs, and recoupments expressly are hereby reserved.

Dated: Uniondale, New York
December 18, 2008

RUSKIN MOSCOU FALTISCHEK, P.C.

By: 

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